

CLARK HILL PLC

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Attorneys for Plaintiff EBIN of New York, Inc.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

EBIN NEW YORK, INC.

Plaintiff,

-against-

SIC ENTERPRISE, INC.; JOHN DOES 1-10
(said names being fictitious); and JOHN ROE
CORPS. 1-10 (said names being fictitious),

Defendant.

Case No. 1:19-cv-01017-PKC-PK

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Plaintiff, EBIN New York, Inc., hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment and Memorandum & Order entered by the district court granting summary judgment to Defendant, dismissing Plaintiff's federal Lanham Act claim of trade dress infringement with prejudice, dismissing Plaintiff's related state-law claims without prejudice to be refiled in state court, and denying Plaintiff's cross-motion

for summary judgment on Defendant's affirmative defenses as moot, entered in this action on September 20, 2023.

Dated: October 18, 2023

CLARK HILL PLC

s/Robert N. Feltoon

Robert N. Feltoon

Attorneys for Plaintiff EBIN New York, Inc.

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